

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

CR 15-30021

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

GRAHAM GARNOS,

Defendant.

Defendant states that the following facts are true, and the parties agree that they establish a factual basis for the offense(s) to which Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3):

On or about the 22nd day of February, 2015, in the District of South Dakota, the Defendant, Graham Garnos, knowingly did transmit in interstate commerce, a telephone communication to Jessica Manger, which telephone communication contained a threat to injure the person of Jessica Manger, that is, a threat to kill Jessica Manger, in violation of 18 U.S.C. § 875(c).

In 2007, Lyman County Sheriff Steve Manger arrested Graham Garnos on felony drug charges. Over the last few years, Garnos has called, left voicemail messages, sent e-mails, and posted things on Facebook and YouTube all discussing his hostility towards the Sheriff.

On February 22, 2015, Garnos called the cell phone of the victim. He called from the same number he had always called from and it showed up on her caller ID. The victim did not answer. Garnos left an approximately 5 minutes voicemail to the victim where he mentioned her husband, the Sheriff, and then proceeded to tell her to plan to spend the rest of her life in prison, that he was "unafraid" and then said "if I ever see your face or Steve Manger's face again, ever, anywhere, you are going to die from a bullet to the head. The very first time I see you I will kill you[.]" He then stated she needed to die and that her death would be eminent. He said it felt "so fucking good to destroy people like you." He then said "if I ever see you again you will die from a bullet in your fucking head ... do you understand?" and ended the call.

The Defendant agrees he did transmit, from Pennsylvania where he was residing at the time, in interstate commerce this phone call to the victim in South Dakota.


RONALD A. PARSONS, JR.
United States Attorney

3-15-18
Date



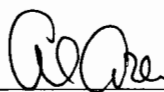
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3-15-18
Date



Graham Garnos
Defendant

3-15/18
Date



Al Arendt
Attorney for Defendant